

HAW

Raul Perez

Petitioner(s),

-vs-

United States of America

Respondent(s).

08CV1141

JUDGE ZAGEL

MAG. JUDGE COX

Ca

(To be supplied by the Clerk)

FILED

FEB 25 2008

2-25-2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**MOTION AND AFFIDAVIT IN SUPPORT OF REQUEST
TO PROCEED IN FORMA PAUPERIS**

I, Raul Perez, being first duly sworn, depose and say that I am the plaintiff/petitioner in the above entitled cause; that in support of my request to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty, I am unable to pay the costs of said proceeding or to give security therefor, and that I believe I am entitled to relief.

The nature of the action is:

() Civil Rights (X) Habeas Corpus () Appeal

1. Are you presently employed? Yes (X) No ()

a. If the answer is "yes", state the amount of your salary or wages per month, and give the name and address of your employer.

Please see attached six month account statement

b. If the answer is "no", state the date of last employment and the amount of salary or wages per month which you received.

2. Have you received within the past twelve months any money from any of the following sources?

a. Business, profession or form of self-employment?	Yes ()	No ()
b. Rent payments, interest or dividends?	Yes ()	No ()
c. Pensions, annuities or life insurance payments?	Yes ()	No ()
d. Gifts or inheritances?	Yes ()	No ()
e. Any other sources?	Yes ()	No ()

If the answer to any of the above is "yes", describe each source of money and state the amount received during the past twelve months.

Please see attached account statement

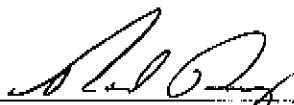
3. Do you own cash, or do you have money in a checking or savings account?
Yes () No (X) (include any funds in prison accounts). If the answer is "yes", state the total value of the items owned.
4. Do you own any real estate, stocks, bonds, notes, automobiles or other valuable property (excluding ordinary household furnishings and clothing)? Yes () No (X) If the answer is "yes", describe the property and state its approximate value.
5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support.

NA

DECLARATION UNDER PENALTY OF PERJURY

I declare (or certify, verify or state) under penalty of perjury, that I am the plaintiff/petitioner in the above action, that I have read the foregoing Motion and Affidavit and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. §1621

February 21, 2008
Date



Signature of Plaintiff/Petitioner

CERTIFICATE**(THIS SECTION FOR COMPLETION BY THE PLAINTIFF/PETITIONER)**Name of Plaintiff/Petitioner: Raul PerezInstitution where confined: FCI GreenvilleRegister number: 60397-080

(Instructions: This section is for completion by an authorized officer of the above-named institution only. The plaintiff/petitioner may not write below this line. Please complete the following certificate for the plaintiff/petitioner named and described above. If the plaintiff/petitioner is confined in the Illinois Department of Corrections, you are further requested to attach a print-out of all transactions for this person's account for the past six months.)

I hereby certify that Raul Perez currently has the sum
(Name of plaintiff/petitioner)

\$ _____ on account to his credit at FCI Greenville
(Institution where confined)

In the first calendar month immediately preceding the date
of this certificate, plaintiff/petitioner had a maximum balance of

\$ _____

_____ and a minimum balance of

\$ _____

In the second calendar month, had a maximum balance of

\$ _____

_____ and a minimum balance of

\$ _____

In the third calendar month, had a maximum balance of

\$ _____

_____ and a minimum balance of

\$ _____

I certify that the plaintiff/petitioner likewise has the following securities to his credit according to the records of the institution.

DATED: February 21, 2008

Signature of Authorized Officer
of the above Institution

NOTE: My housing unit counselor would not complete this form but instead, provided me with a six month printout of my inmate account. Please see attached.

Raul Perez
Raul Perez pro se

Inmate Statement



Inmate Reg #: 60397080
 Inmate Name: PEREZ, RAUL
 Report Date: 02/17/2008
 Report Time: 12:59:16 PM

Current Institution: Greenville FCI
 Housing Unit: GRE-C-A
 Living Quarters: C03-230L

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
GRE	2/14/2008 4:29:35 PM	TFN0214			Phone Withdrawal	(\$1.00)		\$112.06
GRE	2/13/2008 4:24:00 PM	TFN0213			Phone Withdrawal	(\$2.00)		\$113.06
GRE	2/12/2008 7:07:43 PM	TFN0212			Phone Withdrawal	(\$2.00)		\$115.06
GRE	2/12/2008 1:07:08 PM	33309708			Western Union	\$50.00		\$117.06
GRE	2/11/2008 8:48:27 PM	TFN0211			Phone Withdrawal	(\$1.00)		\$67.06
GRE	2/11/2008 5:42:55 PM	119			Sales	(\$102.35)		\$68.06
GRE	2/9/2008 5:48:21 PM	TFN0209			Phone Withdrawal	(\$2.00)		\$170.41
GRE	2/8/2008 4:26:33 PM	TFN0208			Phone Withdrawal	(\$5.00)		\$172.41
GRE	2/8/2008 9:36:57 AM	HIS2018			Payroll - UNICOR	\$121.26		\$238.04
GRH	2/8/2008 9:36:57 AM	HIS2020			FRP Unicor Pymt	(\$60.63)		\$177.41
GRE	2/6/2008 8:08:27 PM	33309308			Western Union	\$50.00		\$116.78
GRE	1/29/2008 5:31:15 PM	75			Sales	(\$15.60)		\$66.78
GRE	1/29/2008 3:40:12 PM	TFN0129			Phone Withdrawal	(\$2.00)		\$82.38
GRE	1/27/2008 7:28:24 PM	TFN0127			Phone Withdrawal	(\$2.00)		\$84.38
GRE	1/22/2008 5:12:20 PM	TFN0122			Phone Withdrawal	(\$2.00)		\$86.38
GRE	1/22/2008 8:18:47 AM	745			SPO		(\$66.30)	-----
GRE	1/21/2008 6:48:23 PM	TFN0121			Phone Withdrawal	(\$2.00)		\$88.38
GRE	1/19/2008 2:27:31 PM	TFN0119			Phone Withdrawal	(\$8.00)		\$90.38
GRE	1/19/2008 11:11:04 AM	TFN0119			Phone Withdrawal	(\$2.00)		\$98.38
GRE	1/16/2008 8:07:57 PM	33307808			Western Union	\$100.00		\$100.38
GRE	1/9/2008 4:59:26 PM	69			Sales	(\$62.08)		\$0.38
GRE	1/9/2008 4:26:33 PM	TFN0109			Phone Withdrawal	(\$2.00)		\$62.46
GRE	1/7/2008 8:15:34 PM	TFN0107			Phone Withdrawal	(\$2.00)		\$64.46
GRE	1/4/2008 2:20:55 PM	HIS2016			Payroll - UNICOR	\$94.87		\$113.89
GRE	1/4/2008 2:20:55 PM	HIS2017			FRP Unicor Pymt	(\$47.43)		\$66.46
GRE	1/3/2008 8:06:39 PM	TFN0103			Phone Withdrawal	(\$2.00)		\$19.02
GRE	1/3/2008 5:25:58 PM	108			Sales	(\$35.05)		\$21.02
GRE	1/2/2008 4:35:55 PM	TFN0102			Phone Withdrawal	(\$2.00)		\$56.07
GRE	12/30/2007 7:05:20 PM	33306608			Western Union	\$50.00		\$58.07
GRE	12/29/2007 9:50:41 AM	TFN1229			Phone Withdrawal	(\$1.00)		\$8.07
GRE	12/27/2007 5:24:03 PM	151			Sales	(\$90.80)		\$9.07
GRE	12/25/2007 9:35:53 PM	TFN1225			Phone Withdrawal	(\$2.00)		\$99.87
GRE	12/25/2007 10:39:11 AM	TFN1225			Phone Withdrawal	(\$2.00)		\$101.87

GRE	12/20/2007	33305908	Western Union	\$100.00	\$103.87
	3:07:16 PM				
GRE	12/18/2007	136	Sales	(\$1.90)	\$3.87
	6:04:38 PM				
GRE	12/18/2007	135	Sales	(\$50.20)	\$5.77
	6:03:03 PM				
GRE	12/18/2007	TFN1218	Phone Withdrawal	(\$4.00)	\$55.97
	4:31:05 PM				
GRE	12/18/2007	33305708	Western Union	\$50.00	\$59.97
	12:07:41 PM				
GRE	12/17/2007	TFN1217	Phone Withdrawal	(\$1.00)	\$9.97
	9:05:25 PM				
GRE	12/16/2007	TFN1216	Phone Withdrawal	(\$2.00)	\$10.97
	6:40:12 PM				
GRF	12/12/2007	TFN1212	Phone Withdrawal	(\$2.00)	\$12.97
	9:12:29 PM				
GRE	12/10/2007	46	Sales	(\$61.20)	\$14.97
	11:28:32 AM				
GRE	12/9/2007	TFN1209	Phone Withdrawal	(\$2.00)	\$76.17
	10:36:39 AM				
GRE	12/8/2007	TFN1208	Phone Withdrawal	(\$2.00)	\$78.17
	2:43:11 PM				
GRE	12/7/2007	HIS2013	Payroll - UNICOR	\$113.67	\$137.00
	7:52:55 AM				
GRE	12/7/2007	HIS2014	FRP Unicor Pymt	(\$56.83)	\$80.17
	7:52:55 AM				
GRE	12/4/2007	TFN1204	Phone Withdrawal	(\$2.00)	\$23.33
	8:09:13 PM				
GRE	12/3/2007	TFN1203	Phone Withdrawal	(\$2.00)	\$25.33
	9:51:06 PM				
GRE	11/27/2007	73	Sales	(\$30.65)	\$27.33
	5:25:50 PM				
GRE	11/26/2007	33304108	Western Union	\$50.00	\$57.98
	1:06:58 PM				

1 2 3 4

Total Transactions: 174

Totals: \$61.09 (\$66.30)

Current Balances

<u>Alpha Code</u>	<u>Available Balance</u>	<u>Pre-Release Balance</u>	<u>Debt Encumbrance</u>	<u>SPO Encumbrance</u>	<u>Other Encumbrance</u>	<u>Outstanding Instruments</u>	<u>Administrative Holds</u>	<u>Account Balance</u>
GRE	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06
Totals:	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06

Other Balances

<u>National 6 Months Deposits</u>	<u>National 6 Months Withdrawals</u>	<u>National 6 Months Avg Daily Balance</u>	<u>Local Max Balance - Prev 30 Days</u>	<u>Average Balance - Prev 30 Days</u>	<u>Commissary Restriction Start Date</u>	<u>Commissary Restriction End Date</u>
\$1,998.93	\$1,997.73	\$115.47	\$238.04	\$95.94	N/A	N/A

Inmate Statement



Inmate Reg #: 60397080
 Inmate Name: PEREZ, RAUL
 Report Date: 02/17/2008
 Report Time: 12:59:27 PM

Current Institution: Greenville FCI
 Housing Unit: GRE-C-A
 Living Quarters: C03-230L

Alpha Code	Date/Time	Reference#	Payment#	Receipt#	Transaction Type	Transaction Amount	Encumbrance Amount	Ending Balance
GRE	11/22/2007 1:08:50 PM	TFN1122			Phone Withdrawal	(\$5.00)		\$7.98
GRE	11/22/2007 8:37:54 AM	TFN1122			Phone Withdrawal	(\$2.00)		\$12.98
GRE	11/14/2007 5:07:19 PM	91			Sales	(\$44.90)		\$14.98
GRE	11/14/2007 4:20:57 PM	TFN1114			Phone Withdrawal	(\$2.00)		\$59.88
GRE	11/13/2007 1:07:37 PM	33303208			Western Union	\$50.00		\$61.88
GRE	11/12/2007 5:45:50 PM	TFN1112			Phone Withdrawal	(\$3.00)		\$11.88
GRE	11/12/2007 4:32:00 PM	TFN1112			Phone Withdrawal	(\$1.00)		\$14.88
GRE	11/10/2007 4:50:27 PM	TFN1110			Phone Withdrawal	(\$4.00)		\$15.88
GRE	11/8/2007 5:29:38 PM	106			Sales	(\$56.10)		\$19.88
GRE	11/6/2007 2:29:25 PM	HICP1107			Inmate Co-pay	(\$2.00)		\$75.98
GRE	11/4/2007 3:10:08 PM	TFN1104			Phone Withdrawal	(\$2.00)		\$77.98
GRE	11/3/2007 9:00:15 AM	TFN1103			Phone Withdrawal	(\$2.00)		\$79.98
GRE	11/2/2007 2:30:18 PM	HIS2001			Payroll - UNICOR	\$126.10		\$145.03
GRE	11/2/2007 2:30:18 PM	HIS2004			FRP Unicor Pymt	(\$63.05)		\$81.98
GRE	11/1/2007 6:09:01 PM	89			Sales	(\$76.20)		\$18.93
GRE	10/28/2007 9:35:47 PM	TFN1028			Phone Withdrawal	(\$2.00)		\$95.13
GRE	10/28/2007 4:51:02 PM	TFN1028			Phone Withdrawal	(\$2.00)		\$97.13
GRE	10/27/2007 8:44:02 AM	TFN1027			Phone Withdrawal	(\$2.00)		\$99.13
GRE	10/25/2007 3:07:32 PM	33301908			Western Union	\$100.00		\$101.13
GRE	10/22/2007 5:28:11 PM	82			Sales	(\$46.20)		\$1.13
GRE	10/22/2007 4:59:01 PM	TFN1022			Phone Withdrawal	(\$3.00)		\$47.33
GRE	10/16/2007 3:05:47 PM	33301208			Western Union	\$50.00		\$50.33
GRE	10/10/2007 5:30:46 PM	125			Sales	(\$193.55)		\$0.33
GRE	10/10/2007 12:11:18 AM				Gift	\$0.00		\$193.88
GRE	10/5/2007 8:17:45 AM	HIS2006			Payroll - UNICOR	\$106.43		\$247.09
GRE	10/5/2007 8:17:45 AM	HIS2007			FRP Unicor Pymt	(\$53.21)		\$193.88
GRE	10/4/2007 9:36:48 PM	TFN1004			Phone Withdrawal	(\$25.00)		\$140.66
GRE	10/4/2007 7:22:41 AM	TFN1004			Phone Withdrawal	(\$2.00)		\$165.66
GRE	10/3/2007 7:16:28 PM	33300308			Western Union	\$100.00		\$167.66
GRE	10/3/2007 6:35:21 PM	TFN1003			Phone Withdrawal	(\$2.00)		\$67.66
GRE	10/3/2007 4:41:24 PM	TFN1003			Phone Withdrawal	(\$1.00)		\$69.66
GRE	10/2/2007 5:13:33 PM	76			Sales	(\$103.20)		\$70.66
GRE	10/2/2007 4:33:22 PM	TFN1002			Phone Withdrawal	(\$2.00)		\$173.86

GRE	9/25/2007	TFN0925	Phone Withdrawal	(\$10.00)	\$175.86
	6:52:39 PM				
GRE	9/24/2007	33325607	Western Union	\$100.00	\$185.86
	4:07:16 PM				
GRE	9/23/2007	TFN0923	Phone Withdrawal	(\$8.00)	\$85.86
	4:27:50 PM				
GRE	9/23/2007	TFN0923	Phone Withdrawal	(\$2.00)	\$93.86
	10:55:36 AM				
GRE	9/20/2007	TFN0920	Phone Withdrawal	(\$2.00)	\$95.86
	8:42:26 PM				
GRE	9/20/2007	TFN0920	Phone Withdrawal	(\$2.00)	\$97.86
	4:32:02 PM				
GRE	9/19/2007	35	Sales	(\$23.50)	\$99.86
	11:07:46 AM				
GRE	9/13/2007	TFN0913	Phone Withdrawal	(\$2.00)	\$123.36
	6:51:29 PM				
GRE	9/12/2007	TFN0912	Phone Withdrawal	(\$3.00)	\$125.36
	7:40:43 PM				
GRE	9/12/2007	34	Sales	(\$7.80)	\$128.36
	11:12:53 AM				
GRE	9/12/2007	29	Sales	(\$32.10)	\$136.16
	11:00:21 AM				
GRE	9/10/2007	TFN0910	Phone Withdrawal	(\$2.00)	\$168.26
	4:42:08 PM				
GRE	9/10/2007	3054	Gift	(\$200.00)	\$170.26
	12:11:13 AM				
GRE	9/9/2007	TFN0909	Phone Withdrawal	(\$3.00)	\$370.26
	9:38:59 PM				
GRE	9/8/2007	TFN0908	Phone Withdrawal	(\$3.00)	\$373.26
	11:51:06 AM				
GRE	9/7/2007	GIS2052	Payroll - UNICOR	\$86.60	\$419.56
	9:59:01 AM				
GRE	9/7/2007	GIS2057	FRP Unicor Pymt	(\$43.30)	\$376.26
	9:59:01 AM				

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Total Transactions: 174

Totals: \$61.09 (\$66.30)

Current Balances

Alpha Code	Available Balance	Pre-Release Balance	Debt Encumbrance	SPO Encumbrance	Other Encumbrance	Outstanding Instruments	Administrative Holds	Account Balance
GRE	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06
Totals:	\$45.76	\$0.00	\$0.00	\$66.30	\$0.00	\$0.00	\$0.00	\$112.06

Other Balances

National 6 Months Deposits	National 6 Months Withdrawals	National 6 Months Avg Daily Balance	Local Max Balance - Prev 30 Days	Average Balance - Prev 30 Days	Commissary Restriction Start Date	Commissary Restriction End Date
\$0.00	\$0.00	\$0.00	\$0.00	\$0.00		